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by restricted appearance

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

DRY BULK SINGAPORE PTE. LTD,

Plaintiff,

v.

Amis Integrity S.A., *in personam* and M/V
AMIS INTEGRITY (IMO 9732412) her
engines, freights, apparel, appurtenances,
tackle, etc., *in rem*,

Defendants.

Case No. 3:19-cv-01671-BR

IN ADMIRALTY

DECLARATION OF CURLY TSAO IN
SUPPORT OF MOTION FOR COUNTER
SECURITY

I, CURLY TSAO, declare as follows:

1. I am over the age of majority and, except as otherwise indicated, make this declaration on personal knowledge, and am competent to testify regarding the facts contained herein.

2. I am employed by Wisdom Marine Lines Co., Ltd., as Operations Person in

C. TSAO DECL. IN SUPP. MOT. FOR COUNTER SECURITY - Page 1
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Charge (“PIC”), and oversaw day-to-day operations of the M/V AMIS INTEGRITY at relevant times. I have been employed by Wisdom Marine Lines Co., Ltd. since July 2016.

3. As Operations PIC of Wisdom Marine Lines Co., Ltd., I have knowledge of Plaintiff Dry Bulk Singapore Pte. Ltd.’s wrongful arrest of the M/V AMIS INTEGRITY on October 17, 2019, and the costs incurred and losses suffered by Owners (Amis Integrity S.A.) as a result of this arrest. To date, the total cost incurred/loss suffered by Owners as a result of the wrongful arrest is \$298,951.05, excluding attorney fees and costs.

4. At the time of the arrest, the M/V AMIS INTEGRITY was under charter to The China Navigation Company Pte. Ltd. (“CNCO”), and scheduled to transport grain cargo for a third party.

5. Attached hereto as **Exhibit 1** is a true and correct copy of the charter party (the “Revised Full and Complete Clean Recap”) between Amis Integrity S.A. and CNCO.

6. Attached hereto as **Exhibit 2** is a true and correct copy of the Hire Invoice dated October 30, 2019 issued by CNCO after the arrest.

7. Attached hereto as **Exhibit 3** is a true and correct copy of a subsequent Hire Invoice dated November 21, 2019 issued by CNCO after the arrest and identifying additional and revised amounts attributed to the arrest.

8. Under the charter with CNCO, the daily charter hire rate was \$14,000. See **Exhibit 1**, Article 8.

9. As a result of the arrest, Amis Integrity S.A. lost 8.1583333 days of charter hire, or \$114,216.67. See **Exhibit 2**.

10. In addition to the loss of charter hire, Owners incurred costs for bunkers consumed while the vessel was off-hire/under arrest in the amount of \$16,636.10. See **Exhibit 2**.

11. Owners also incurred an additional \$4,139.70 for cost associated with deviation for bunkers, and an additional related loss of charter hire in the amount of \$18,083.33. See **Exhibit 3**.

12. Owners also incurred \$95,765.25 in Port Disbursements through Interport PNW, LLC, relating to pilotage, towage, dockage, and line handling that were necessitated solely as a result of the arrest.

13. Attached hereto as **Exhibit 4** is a true and correct copy of the invoicing from Interport PNW, LLC, in the amount of \$94,665.25.

14. Attached hereto as **Exhibit 5** is a true and correct copy of the invoicing for Supplementary Port Disbursements in the amount of \$1,100.

15. In order to secure the release of the vessel from arrest, Owners were forced to post security in the form of a surety bond in the amount of \$2,500,000 at a first term premium of 2 percent, or \$50,000, along with a \$100 additional fee, for a total first term cost of \$50,100.

16. Lastly, as a result of the arrest, Owners incurred attorney fees and costs and continue to incur attorney fees and costs relating to the wrongful arrest. To date, Owners have incurred in excess of \$40,000 in attorney fees and costs.

17. Owners' costs incurred to date as a result of the wrongful arrest thus exceed \$340,000.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE
STATE OF OREGON AND THE UNITED STATES OF AMERICA THAT THE
FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND
BELIEF.

DATED this 11th day of December, 2019 at Taipei, Taiwan.

Curly Tsao
CURLY TSAO

CERTIFICATE OF SERVICE

I hereby certify that on December 11, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to The Honorable Anna J. Brown and serve it on all associated counsel.

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signed at Seattle, Washington this 11th day of December, 2019.

s/ Shelley Courter

Shelley Courter, Legal Assistant

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